IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA) 8:09CR13
Plaintiff,)
vs.) DETENTION ORDER
JOSE DE LA CRUZ-LOPEZ,	
Defendant.	}
A. Order For Detention After conducting a detention hearing pursua Act on January 27, 2009, the Court orde pursuant to 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform rs the above-named defendant detained
conditions will reasonably assure the	n because it finds: ence that no condition or combination of e appearance of the defendant as required. at no condition or combination of conditions
felony and deported from District of Nebraska aft without the consent of the violation of 8 U.S.C. So imprisonment under 8 U.	es Report, and includes the following: e offense charged: viously been convicted of an aggravated m the United States, being found in the eer having re-entered the United States he Attorney General or his successor in § 1326(a) and subject to twenty years S.C. § 1326(b). violence. arcotic drug. rge amount of controlled substances, to wit: inst the defendant is high. of the defendant including: appears to have a mental condition which her the defendant will appear. has no steady employment. has no substantial financial resources. I not a long time resident of the community. does not have any significant community the defendant: has a history relating to drug abuse. has a history relating to drug abuse. has a significant prior criminal record. has a prior record of failure to appear at

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(b)	At the time of the current arrest, the defendant was on:
,	Probation
	Parole
	Release pending trial, sentence, appeal or completion of
	sentence.
(c)	Other Factors:
	X The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted.
	X The Bureau of Immigration and Custom Enforcement
	(BICE) has placed a detainer with the U.S. Marshal.
	Other:
<u>X</u> (4) The r	nature and seriousness of the danger posed by the defendant's

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

release are as follows: The nature of the defendant's criminal history.

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 27, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge